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Substantive

AMENDMENTS TO SENATE BILL NO. 1221

Amendment 1

In the heading, below line 1, insert:

(Coauthor: Senator Steinberg)

Amendment 2

In the title, in line 1, after "act" insert:

to amend Section 3960 of, and to repeal Section 4756 of, the Fish and Game Code,

Amendment 3

In the title, in line 1, strike out "air quality" and insert:

mammals

Amendment 4

On page 1, before line 1, insert:

SECTION 1. Section 3960 of the Fish and Game Code is amended to read:

3960. ~~It~~ (a) (1) For the purpose of this section, "pursue" means pursue, run, or chase.

(2) For the purpose of this section, "bear" means any black bear, brown bear, or any other subspecies of bear found in the wild in this state.

(b) It is unlawful to permit or allow any dog to pursue any big game mammal during the closed season on such that mammal, to pursue any fully protected, rare, or endangered mammal at any time, to pursue any bear or bobcat at any time, or to pursue any mammal in a game refuge or ecological reserve if hunting within such that refuge or ecological reserve is unlawful.

~~Employees of the department may capture~~

(c) (1) The department may take any of the following actions:

(A) Capture any dog not under the reasonable control of its owner or handler, when such that uncontrolled dog is pursuing, in violation of this section, any big game mammal, any bear or bobcat, or any fully protected, rare, or endangered mammal.

~~Employees of the department may capture~~

(B) Capture or dispatch any dog inflicting injury or immediately threatening to inflict injury to any big game mammal during the closed season on such that mammal, and they the department may capture or dispatch any dog inflicting injury or immediately threatening to inflict injury on any bear or bobcat at any time, or any fully protected, rare, or endangered mammal at any time.

~~Employees of the department may capture~~



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~~(C) Capture or dispatch any dog inflicting injury or immediately threatening to inflict injury to any mammal in a game refuge or ecological reserve if hunting within such that refuge or ecological reserve is unlawful.~~

~~No~~

~~(2) No criminal or civil liability shall accrue to any department employee as a result of enforcement of this section. For the purpose of this section, "pursue" means pursue, run, or chase.~~

~~(3) This section does not apply to the use of dogs to pursue bears or bobcats by federal, state, or local law enforcement officers, or their agents or employees, when carrying out official duties as required by law.~~

~~Owners~~

~~(4) Owners of dogs with identification, that have been captured or dispatched, shall be notified within 72 hours after capture or dispatch.~~

~~SEC. 2. Section 4756 of the Fish and Game Code is repealed.~~

~~4756. Except as provided in this section it is unlawful to use dogs to hunt, pursue, or molest bears.~~

~~The use of one dog per hunter is permitted for the hunting of bears during the time that the season is open for the taking of deer in the area of the state affected.~~

~~The use of more than one dog per hunter is permitted in the hunting of bears during the open season on bears in the area of the state affected except during the period when archery deer seasons or regular deer seasons are open.~~

~~SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.~~

Amendment 5

On page 1, strike out lines 1 to 4, inclusive